

1 started out with from the earlier proceeding that we
2 had asked Mr. Lynch to admit as to the accuracy, and as
3 you recall, he had indicated, in the first round, that
4 they weren't complete, and he submitted some additional
5 pages. So, it was the original documents that we had
6 submitted to him, plus the additional pages, but minus
7 the NAB Crystal Awards, which are --

8 JUDGE SIPPEL: I -- I hear you. All right,
9 well, I'm going to call those the Issues and Programs
10 Lists, consisting of 72 pages. It's marked for
11 identification as Brandt Exhibit #3.

12 (The document above referred
13 to as Brandt Exhibit 3 was
14 marked for identification.)

15 Do you want to lay some more foundation
16 before you move it into evidence?

17 MR. TILLOTSON: I was going to ask questions
18 about it, Your Honor, and then we would -- I would --

19 JUDGE SIPPEL: Then I'd like to have some
20 preliminary questions, voir dire.

21 MR. TILLOTSON: Well --

22 JUDGE SIPPEL: I'd like the Bureau to have a
23 chance to ask -- to voice their voice on this.

24 MR. TILLOTSON: Oh, we -- okay, I was not
25 going -- I was going to basically use it for examining

1 Mr. Lynch about his programming, but we could do it
2 this way and get it in the record. That would be fine.

3 CROSS EXAMINATION

4 BY MR. TILLOTSON:

5 Q Mr. Lynch, you have a copy of the document
6 that has been marked as Brandt Exhibit 3?

7 A Yes.

8 Q Have you looked at the document?

9 A I skimmed it, yes.

10 Q And you've heard how I described -- how it
11 was described?

12 A I did.

13 Q Did I accurately describe what the materials
14 are?

15 A Without going over every page, I believe so.

16 Q Well, would you maybe take a closer look at
17 it, because we want to make sure we haven't omitted
18 anything, and I'd appreciate it if you would take a few
19 minutes to -- to make sure it is what I have described.

20 JUDGE SIPPEL: We'll go off the record.

21 (Whereupon, a recess was taken off the
22 record.)

23 JUDGE SIPPEL: Back on the record.

24 All right, Mr. Lynch, have you had a chance
25 to go through these documents, just to peruse them to

1 become familiar with them?

2 THE WITNESS: I have, Your Honor.

3 JUDGE SIPPEL: Do they basically comport with
4 what -- as Mr. Tillotson has identified them and
5 described them to you?

6 THE WITNESS: The best I can see, they
7 basically do.

8 JUDGE SIPPEL: All right, Mr. Tillotson, you
9 may proceed.

10 BY MR. TILLOTSON:

11 Q And -- and, Mr. Lynch, if you'll look at
12 them, it's -- these documents -- you -- you had
13 produced documents, in response to our request for
14 admissions, to make complete your Issues Pro -- and
15 also response to request for production of documents,
16 to make complete your Issues Programs Lists from --
17 from 1984 through, I believe, the end of 1990.
18 Correct?

19 A To make complete, I don't believe so.

20 Q In other words, to provide for me, and,
21 ultimately, the record in this proceeding, WYLR's
22 Issues Programs Lists for the entire licensed term
23 that's in issue, which is from, I guess, June of 1984
24 until the cutoff period, which I think was February,
25 1991?

1 A April 30th.

2 Q I'm sorry, April 30, 1991?

3 A And basically I was asked to provide what was
4 legitimately my public files for that period of time,
5 and I -- I did that.

6 Q You did that, so there are no -- we are not
7 missing any Issues Programs Lists for WYLR for that
8 period of time. We have them all?

9 A Excuse me, that -- that were in the file at
10 that time. As I put in the renewal application, there
11 were some serious errors made.

12 Q We're -- we're -- we're only asking right now
13 about that which exists, that which you were able to
14 put your hands on?

15 A Correct.

16 MR. TILLOTSON: Your Honor, I'd like to move
17 the admission of Exhibit 3.

18 JUDGE SIPPEL: Does the Bureau have any
19 position on this or objection?

20 MS. LADEN: We have no objection, Your Honor.

21 JUDGE SIPPEL: All right. Now, Mr. Lynch,
22 you now have to change your hat and you're attorney, do
23 you have any objection to receiving this into evidence?

24 MR. LYNCH: Depending on how the questioning
25 goes, I -- it's -- I believe this entire matter was

1 pretty well looked at in Skedelsky (phonetic), and
2 how -- and why are we revisiting it right now?

3 We have admitted, on our renewal application,
4 that we did make some errors in our quarterly files,
5 and as far as bringing them complete, our proffer of
6 programming, hopefully, my testimony and my two
7 employees' testimony will make it as complete as it can
8 be at this point in time, but, again, I -- I think
9 we're running the risk of revisiting Skedelsky now,
10 which should not happen.

11 JUDGE SIPPEL: Well, these documents -- I'll
12 let Mr. Tillotson respond to that, but these documents,
13 as I understand it, relate -- are from the station
14 files and they relate to the relevant period, which is
15 June of -- June of '91 to April of '84. Correct?

16 MR. LYNCH: Yes, Your Honor.

17 JUDGE SIPPEL: All right, so -- well, then,
18 as long as they're relevant for purposes of this case
19 and they're being offered solely for the purposes of
20 showing what, Mr. Tillotson, the programming as --

21 MR. TILLOTSON: Well, Your Honor, Mr. -- Mr.
22 Lynch is claiming that, I believe, a renewal
23 expectancy.

24 JUDGE SIPPEL: Yes.

25 MR. TILLOTSON: And his claim, which is

1 predicated on the programming of the FM station, and
2 he's claiming, in a narrative fashion, and he's going
3 to claim, through these witnesses, that the station has
4 done various things in their programming, and I think
5 it's certainly relevant to find out the extent to which
6 the station -- it is clearly relevant to know the
7 extent to which the station presented programming that
8 was responsive to identified community issues and
9 problems. That's what the Issues Programs Lists are
10 all about, and since the Commission requires stations
11 to prepare these lists on a quarterly basis, first
12 identifying the issue -- the issue, and then saying
13 these are the programs responsive to the issue, the --
14 whether or not the station actually presented
15 programming, I think the best evidence would be what
16 did they put in their public file on that point.

17 MR. LYNCH: We disagree one hundred percent.
18 Obviously, there's some quarters where there isn't
19 anything FM. There are some quarters where things are,
20 in my mind, very clearly missing, and the reason that
21 we're going through this proceeding and Mr. Jacobson
22 and Mr. Dusenberry are -- are here, is to provide
23 evidence that we did numerous things that did not show
24 up either on the logs or the quarterly issues file.

25 JUDGE SIPPEL: Well, what you're talking

1 about is testimony that you -- you should seek to
2 introduce that will -- will supplement these documents,
3 as I hear what you're saying?

4 MR. LYNCH: I'm -- I'm saying specifically
5 that the quarterly file does not, in any way, shape or
6 form, as Mr. Tillotson is suggesting, best represent
7 what the station did over the renewal period.

8 JUDGE SIPPEL: But the document -- well, that
9 may be a legal conclusion. The point is that these
10 documents do cover the relevant period?

11 MR. LYNCH: Yes, Your Honor.

12 JUDGE SIPPEL: And they do come from your --
13 from Normandy's files?

14 MR. LYNCH: Yes, Your Honor.

15 JUDGE SIPPEL: And they do relate to
16 programming?

17 MR. LYNCH: My only problem is that -- that -
18 - the statement that these best reflect what we did,
19 and -- and --

20 JUDGE SIPPEL: Well, that's just argument,
21 but I'm -- I'm -- I'm being -- listen to my questions.
22 Don't -- don't answer my questions by going back to
23 what he said, answer my questions by what I'm asking
24 you. Okay, can you do that?

25 MR. LYNCH: Yes, Your Honor.

1 JUDGE SIPPEL: Fine. I'm simply asking you
2 aren't these records that relate to the programming of
3 the station?

4 MR. LYNCH: Yes, they are.

5 JUDGE SIPPEL: And they do relate to that
6 programming within the relevant period?

7 MR. LYNCH: Yes, Your Honor.

8 JUDGE SIPPEL: And they came from your
9 company's files?

10 MR. LYNCH: Yes, Your Honor.

11 JUDGE SIPPEL: They were there. All right,
12 there was -- and -- and you've had a chance to go over
13 the 72 pages this morning and -- and you're satisfied
14 that these -- these are -- these do represent that kind
15 of evidence?

16 MR. LYNCH: Yes, Your Honor.

17 JUDGE SIPPEL: That -- I'm going to receive
18 these as relevant business records of the station, also
19 records that are required to be maintained, by the FCC
20 rules, and I'm satisfied with the voir dire of this
21 witness that these are reliable documents.

22 They are now received into evidence as
23 Brandt's Exhibit #3, there being no objection from the
24 Bureau.

25

1 (The document heretofore
2 marked for identification
3 as Brandt Exhibit #3 was
4 received in evidence.)

5 And, Mr. Tillotson, you may go forward with
6 your cross examination.

7 BY MR. TILLOTSON:

8 Q Mr. Brandt, looking -- Mr. Brandt -- Mr.
9 Normandy -- Mr. Lynch, looking at Brandt Exhibit 3,
10 would you go through it and tell us whether that
11 exhibit reflects any programs that were actually aired
12 on Station WYLR, and if so, identify which page and
13 which program?

14 JUDGE SIPPEL: We'll have to go off the
15 record, and when you're ready to answer to a particular
16 page, then we'll go back on the record.

17 (Discussion off the record.)

18 JUDGE SIPPEL: Back on the record.

19 Mr. Lynch, you've gotten at least a portion -
20 - you've -- you've worked your way through a portion of
21 these pages on Brandt Exhibit 3. Can you now answer
22 the question of Mr. Tillotson, up to the point that
23 you've reviewed these documents?

24 THE WITNESS: Page by page, Your Honor?

25 JUDGE SIPPEL: Page by page, yes?

1 THE WITNESS: Okay, on page 3, Issue 1,
2 Environmental Problems, newscasts were run on WWSC and
3 WYLR both. All major news stories were run by
4 Normandy's news department for both stations.

5 JUDGE SIPPEL: All right, that's page 3. The
6 next page?

7 THE WITNESS: Both items on the Dairy Protest
8 and the EPA Response to Hazardous Waste --

9 JUDGE SIPPEL: What page is that?

10 THE WITNESS: I'm sorry. On page 4.

11 JUDGE SIPPEL: Now, he's just asking you to
12 identify, so you don't have to, you know, give a
13 lengthy explanation.

14 Go ahead.

15 THE WITNESS: On page -- on page 6 --

16 JUDGE SIPPEL: Nothing on page 5?

17 THE WITNESS: Nothing on page 5.

18 JUDGE SIPPEL: Page 6?

19 THE WITNESS: Page 6, both issues were
20 broadcast on the AM and on the FM.

21 JUDGE SIPPEL: All right, the next page?

22 THE WITNESS: Nothing on page 7 or 8 or 9 or
23 10.

24 JUDGE SIPPEL: Nothing on 10?

25 THE WITNESS: Nothing on 10.

1 Page 11, both issues were addressed on WYLR.

2 JUDGE SIPPEL: All right.

3 THE WITNESS: Nothing on page 12.

4 On page 13, the one issue was addressed on AM
5 and FM.

6 JUDGE SIPPEL: All right.

7 THE WITNESS: On page 14, all three issues
8 were addressed on the FM.

9 Page 15, there's nothing.

10 Page 16, there's nothing.

11 Page 17, there's nothing.

12 Page 18, while I can't swear to it, anytime
13 we did a holiday PSA Driving Safety program, we put it
14 on AM and FM both.

15 JUDGE SIPPEL: So, you've got a problem over
16 18?

17 THE WITNESS: I'm virtually certain. Unless
18 there was some technical area, it was on both. Most of
19 the work was just putting it together and scheduling it
20 on a second station is very time effective.

21 MR. SCHONMAN: Your Honor?

22 JUDGE SIPPEL: I'm sorry, Mr. Schonman?

23 MR. SCHONMAN: I'm sorry, but I'm having
24 trouble hearing.

25 JUDGE SIPPEL: Do you have hay fever or

1 something?

2 MR. SCHONMAN: Pardon? No, I've got an
3 allergy though.

4 JUDGE SIPPEL: All right, that's -- try and -
5 - try and just keep your voice up, as best you can.

6 THE WITNESS: Okay. On page 19, there's
7 nothing.

8 On page 20, the final issue was addressed by
9 the garage sale. On -- every year that we did it, our
10 garage sale was on AM and FM. Again, this does not
11 specifically note the FM's involvement on that, but for
12 all intents and purposes, we did a PSA push coming up
13 to it, and we also had live broadcasting, I believe,
14 every garage sale, less one.

15 JUDGE SIPPEL: All right. Go ahead.

16 THE WITNESS: Nothing else on page 21.

17 Nothing on page 22.

18 Nothing on page 23.

19 Nothing on page 24.

20 Nothing on page 25.

21 Page 26 is blank.

22 JUDGE SIPPEL: Is that purposely blank, Mr.
23 Tillotson, or is that --

24 MR. TILLOTSON: Which one is that again?

25 JUDGE SIPPEL: Or was that -- was that an

1 error, page 26?

2 MR. TILLOTSON: Page 26. Most likely an
3 error in duplicating. It must have been an error in
4 just running it through the duplicating machine, and my
5 secretary, when it was put together, she would just
6 Bate stamp the pages. So, I'm sure that that was --

7 JUDGE SIPPEL: All right, page -- page 26
8 will be stricken as an exhibit -- as part of the
9 exhibit; it will be treated as stricken.

10 27?

11 THE WITNESS: Page 27, as it says, that was
12 on the AM and the FM, or that was on WYLR-FM.

13 Page 28, there's nothing.

14 Page 29, there's nothing.

15 Page 30, there's nothing.

16 Page 31, there's nothing.

17 Page 32 is all AM.

18 Page 33 is all WWSC.

19 Page 34 is all WWSC.

20 Page 20 -- I'm sorry, 35 is all WWSC.

21 All three items on page 36 are -- were aired
22 on WYLR-FM.

23 Page 37, the one issue was broadcast on WYLR.

24 Page 38, the one issue was addressed on WYLR.

25 Page 39, the first issue was on WYLR, the

1 second issue was on WYLR, the third issue was on WYLR,
2 the fourth issues was definitely on WYLR.

3 On page 40, the first issue was on WYLR, the
4 second issue was on WYLR.

5 Page 41 is basically special schedule, which
6 relates to a Multiple Sclerosis Bike-a-thon, which I --
7 was on WYLR. I think Tom Jacobson is the one who did,
8 actually remote at that.

9 BY MR. TILLOTSON:

10 Q Could I stop you there just because I don't
11 understand. What is the entry, Tuesday, 8/15 on that
12 page, all regular?

13 A All shifts are regular.

14 Q Meaning that there was nothing being done?

15 A No overtime, no live remotes or anything.

16 Q Okay.

17 A Okay. What this says specifically for that
18 week, Nancy Gordon, our Public Service Director at that
19 point in time, talked for -- did a live remote around -
20 - well, Lake George Historical, so -- or Lake George
21 Arts Project, which John Strong has been the Director
22 of, and they run fund raisers at a park in Lake George.
23 It does say that Tom Jacobson was scheduled for the
24 Multiple Sclerosis Bike-a-thon, Saturday, 8/19, from
25 noon to 4:00.

1 JUDGE SIPPEL: What does -- what does it mean
2 that he was scheduled for it? Was he biking?

3 THE WITNESS: Pardon?

4 JUDGE SIPPEL: Was he biking?

5 THE WITNESS: We develop a rather set way of
6 making -- this was a major fund raiser, MS Bike-a-thon,
7 I believe we did four or five years in a row and raised
8 substantial funds for them. What this -- we
9 cosponsored the Bike-a-thon itself this year, and our
10 coverage is usually two to a six week public service,
11 either live or pre-produced flight, plus, usually a
12 live remote at the actual event.

13 BY MR. TILLOTSON:

14 Q You use these terms like a pre-produced
15 public service flight. Am I correct that what that
16 basically means is that during the six week period
17 leading up to the Bike-a-thon, or whatever the period
18 of time would be, you might have a 30 second
19 announcement, like a PSA that says support the Bike-a-
20 thon or there's going to be a Bike-a-thon, and the rest
21 of the programming is your normal programming.
22 Correct?

23 A Yes, but we get into it a little bit more
24 technically than that with a lot of the pushes that we
25 do.

1 Q What do you mean you get into it a little
2 more technically?

3 A Numerous times we'll just discuss the items
4 with various people, who are involved in it. We'll
5 bring them into the studio.

6 Q Is there any evidence of anybody being
7 brought into the studio to discuss it in 1989?

8 A No, there isn't.

9 Q It may have happened; it may not have
10 happened, and you probably wouldn't recall any
11 particular year who came in or what was discussed?

12 A No. I -- I believe Tom Jacobson would be a
13 better witness for that.

14 Q But you don't -- you don't have that
15 information?

16 A No, I don't.

17 Q Okay, proceed on, please?

18 A Okay, Tuesday, 8/22 --

19 Q Are we still on page 41?

20 A We're still on page 41.

21 Q Oh, I'm sorry. I guess what I really was --
22 what we've learned from this is -- is that this is
23 essentially telling what -- your announcers were where
24 and when, and if -- and just to be clear again, as I'm
25 understanding it, there -- this is a -- this is a

1 schedule of announcers and where they are and who's
2 working on the program. Right?

3 A Yes.

4 Q It doesn't tell us what they're doing that's
5 in the way of public service, as opposed to doing an
6 air script, does it?

7 A Well, if -- if you're doing an FM remote at a
8 Multiple Sclerosis Bike-a-thon for four hours, it gives
9 the date, it gives the time and the duration of the --
10 the actual program.

11 Q I heard -- I heard the -- I heard a remote
12 for the Americaid when I was up in Glens Falls last --
13 this past spring, and, basically, during most of the
14 period of the day -- during the period of the remote,
15 they were playing WYLR's basic format, and then
16 occasionally an announcer would, during the break,
17 would say, "We're up here at the Bike-a-thon," and
18 might talk to a biker or somebody for 30 seconds or a
19 minute or two, and then they'd go back and play music.
20 Is that what happens at a remote?

21 A To state another proffer, a remote will
22 average four breaks ins, anywhere from three to five
23 minutes per break in per hour for the subject that
24 we're remoting. We claim, when we do an hour remote, I
25 believe, the numbers were anywhere from eight to 15

1 minutes of actual public affairs discussion.

2 Q When you say actual public affairs
3 discussion, when I was listening to the Bike-a-thon --
4 to the Americaid, types of things that they were
5 discussing with the bikers were about how they play the
6 John Philip Sousa music on the radios when the parade
7 comes. Is that what your description of public affairs
8 is?

9 A No, it is not.

10 Q Could you tell us what the public affairs
11 content of, for example, an Americaid remote would be,
12 what types of public affairs issues would be discussed?

13 A Public affairs issues. For instance, there's
14 a fund raiser that's going on for the last year is for
15 raffling off a motorcycle that benefits the 4-H
16 Writer's Program, and the Prospect School for Crippled
17 Children. We did extensive interviews with the people
18 involved in that, both in the station and not just
19 remote.

20 Q On which station? On WYLR?

21 A On WYLR and WWSC, although on that one, we
22 were very strongly on WYLR for the years. There are a
23 number of -- the idea of the Americaid was, one, it
24 helps the economy of the area. It's an off seasonal
25 event. It's the largest of tours and draw -- dollar

1 tours and draw all year. So, we support it, one, to
2 help the economy, and we do discuss the economy with
3 the event founders, the event directors on a regular
4 basis.

5 One of the other purposes of the Americaid is
6 to give back to the community. There are a number of
7 local public service --

8 Q Mr. Lynch --

9 A Excuse me.

10 Q Mr. -- Mr. -- Mr. Lynch --

11 A Excuse me. You asked me a question.

12 Q I get to ask questions.

13 A Okay, I get to answer them.

14 Q Yes, but I -- I would like -- Your Honor,
15 would you ask -- instruct the witness to please answer
16 the questions that I'm asking?

17 My question has to do with -- right now,
18 relates to the programming content within say the
19 segments that are listed on these lists. When you say
20 there is a four minute break or so many breaks per
21 hour, I don't want to know -- I'm not asking you about
22 why Americaid's a good thing or how it helps the local
23 economy. I'm asking you what your radio station does
24 during those breaks. That's what I am curious about
25 and it's relevant to this proceeding, and if you would

1 like to put in other evidence, you could, presumably,
2 proffer that in rebuttal as -- or whatever, assuming
3 the time is not elapsed, so -- if you come back.

4 I want to make clear what do you do during
5 those breaks, that are public affairs oriented breaks,
6 discuss on the air?

7 JUDGE SIPPEL: Limit yourself to the area
8 that he's talking about. This is cross examination,
9 and he has the right to control the scope of the cross
10 examination.

11 THE WITNESS: Okay. I -- as I was saying
12 before, there are a number of public service groups
13 that operate breakfasts or lunches fund raisers. We
14 have, each year, discussed with virtually every -- the
15 local Lion's Club feeds 5 thousand motor cyclists, you
16 know, a dinner, you know, as a fund raiser. We'll
17 discuss that. There are probably eight to 10 different
18 local charities that we will discuss what they're
19 doing, how they can do it, how to get the local people
20 integrated into this.

21 BY MR. TILLOTSON:

22 Q Now, when you say -- this is discussed on the
23 air during these breaks during the remote?

24 A It is.

25 Q Okay. Now, do you have any records

1 whatsoever, or any knowledge that you tell us the names
2 or the organizations that were on WYLR discussing any
3 specific subject during any specific -- well, during
4 this specific event, the -- one, of the Bike-a-thon of
5 1989? Can you tell us a specific? This organization,
6 Mr. Smith came on and we discussed X?

7 A In 1989, no, I can't, not -- not a specific.

8 Q Thank you. Will you move on to going through
9 the documents?

10 A On 42, this was broadcast on both AM and FM.

11 43 --

12 Q Just to be clear on something, and it might
13 simplify the process, we had -- and you -- I noticed
14 you pointed throughout, whenever you see newscast, you
15 say it's broadcast on both the AM and the FM. It says
16 that the -- the time here, it says hourly, and in the
17 other places where newscast appeared, I think it
18 invariably said hourly. Is that correct?

19 A Newscast -- hourly newscasts on the hour.

20 Q Right. However, am I not correct that WYLR
21 does not broadcast hourly newscasts throughout the day.
22 It only broadcasts hourly newscasts during certain
23 segments of the day?

24 A During morning drive, noon drive and evening
25 drive.

1 Q And so when we're saying hourly newscasts on
2 WYLR, how many hourly newscasts are broadcast in a
3 typical day?

4 A Precisely what we put into the proffer
5 program or recounted it.

6 Q As to owning --

7 A As far as hours per day.

8 Q As the owner and general manager, how many
9 newscasts do you broadcast in a typical weekday on
10 WYLR, hourly newscasts?

11 A I don't know the exact number. We have
12 national and we have local. I believe there are four
13 in morning drive, there's -- there's one in noon drive,
14 and there are three in afternoon drive, locally
15 originated newscasts.

16 Q Thank you.

17 A Again, there are ABC newscasts scheduled over
18 and above that.

19 Q Also, just -- I'm -- I'm looking on page 42.
20 It says, "The reports lasted one to two minutes." Do
21 you -- who prepared -- do you know who prepared this
22 and made the statement that they lasted one to two
23 minutes?

24 A At that time, the News Director was preparing
25 all public service file things.

1 Q And you'd have no -- you didn't keep tabs or
2 records as to how long news -- particular inserts or
3 features were actually aired on the station?

4 For example, is it -- there's no way to --
5 you don't have any records or you didn't do a check,
6 when somebody said when they put together the Issue
7 Programs List that something lasted one to two minutes,
8 whether it was one minute or two minutes, or maybe
9 really on 30 seconds. You never checked that, did you?

10 A I don't understand. As far as --

11 Q Did you ever check these type of statements
12 that went into your Issues Programs Lists by your News
13 Director, or whoever prepared it, to determine whether,
14 in fact, when he says it's one to two minutes, that it
15 was one to two minutes and not say 30 seconds?

16 A No, I didn't. I trusted the News Director.

17 Q Do you want to proceed to the next page?

18 A Okay, 43, Election Returns were put on both
19 WWSC and on WYLR. It's a rather major production each
20 year, both WWSC and WYLR as -- as typed on here.

21 Okay, on 44, that was WWSC and that -- that
22 was WYLR also.

23 45 is WYLR.

24 JUDGE SIPPPEL: When you say 45 is WYLR, do
25 you mean it's only WYLR or it's both?

1 THE WITNESS: All -- all news -- all major
2 news stories were broadcast on both WWSC and on WYLR.

3 JUDGE SIPPEL: Well, if you're going to --
4 yeah, but if you're going to testify consistently with
5 respect to these documents, you'd better stay with --
6 identify each document as both or FM and AM.

7 THE WITNESS: All right.

8 JUDGE SIPPEL: If you just say FM, then I'm
9 going -- it's -- it's -- it can't be just inferred that
10 you meant AM and FM. You have to say it. Do you
11 understand?

12 THE WITNESS: Understood.

13 JUDGE SIPPEL: Okay.

14 THE WITNESS: I stand corrected. Again,
15 virtually every single major news story, over my entire
16 tenure there, was broadcast on both stations.

17 Excuse me, page 46 was WYLR. We also ran
18 some of the PSAs on WWSC, but the remote and bulk on
19 the push on that was WYLR.

20 BY MR. TILLOTSON:

21 Q Mr. Lynch, you said that virtually every news
22 story was run on both, as we talked earlier?

23 A Yes.

24 Q I take it that you mean that there may have
25 been times when some news stories weren't run on both?

1 A I, together with Mr. Dusenberry and Mr.
2 Jacobson, cannot remember one instance, over any of our
3 tenures, where a major story was not put on both
4 stations, and the news department is a Normandy news
5 department, and the idea of the news is to come up with
6 the best news we can on either side.

7 Q And, so, basically the news department writes
8 a copy for both stations, and the people, who are on
9 the air, take it and read it for both stations?

10 A The news department virtually always is the
11 one who reads it on the AM or the FM, unless the news
12 person is on -- on -- in the field.

13 Okay, on page 47, the first issue was on
14 WYLR. The second issue was actually on WYLR and WWSC
15 very extensively, over a period of time, Hurricane
16 Hugo.

17 Q On the second issue, could you tell me any
18 particular -- was -- was that addressing a particular
19 ascertained community need or problem?

20 A More years than not, when things pop up, such
21 as Hurricane Hugo or -- this year we're a Red Cross
22 drop off point for Hurricane Andrew, but when
23 miscellaneous problems come up.

24 Basically we were assaulted by people
25 wondering what can we do to help Hurricane Hugo out,